

MORRIS, PICKERING & PETERSON

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Attorneys for Defendant DELOITTE & TOUCHE LLP

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In re:

USA COMMERCIAL MORTGAGE
COMPANY,

Debtor.

In re:

USA CAPITAL REALTY ADVISORS, LLC,
Debtor.

In re:

USA CAPITAL DIVERSIFIED TRUST
DEED FUND, LLC,

Debtor.

In re:

USA CAPITAL FIRST TRUST DEED
FUND, LLC,

Debtor.

In re:

USA SECURITIES, LLC,

Debtor.

Affects:

☒ All Debtors

Case Nos.:

BK-S-06-10725-LBR

BK-S-06-10726-LBR

BK-S-06-10727-LBR

BK-S-06-10728-LBR

BK-S-06-10729-LBR

JOINTLY ADMINISTERED

Chapter 11 Cases

Judge Linda B. Riegler

**STIPULATION REGARDING OPPOSITION
TO APPLICATIONS TO COMPROMISE
AND SETTLE CONTROVERSIES WITH
PIERCY, BOWLER, TAYLOR & KERN, PC
AND BEADLE, MCBRIDE, EVANS &
REEVES, LLP, *et al.***

1 USACM Liquidating Trust and USA Capital Diversified Trust Deed Fund, LLC
2 (collectively, the "USA Entities") and non-party Deloitte & Touche LLP ("D&T") hereby
3 stipulate and agree as follows:

4 WHEREAS, on October 20, 2008, the USA Entities filed *Application to*
5 *Compromise and Settle Controversies with Piercy, Bowler, Taylor & Kern PC* (Docket No.
6 6575) and *Application to Compromise and Settle Controversies with Beadle, McBride, Evans &*
7 *Reeves, LLP, et al.* (Docket No. 6573) (collectively, the "Applications") with the Court and
8 served notice of such Applications on D&T by mail;

9 WHEREAS, pursuant to Nevada Bankruptcy Local Rule 9014 and Bankruptcy
10 Rule of Procedure 9006, any opposition to the Applications ordinarily would be due on
11 November 10, 2008;

12 WHEREAS, D&T received the Applications on October 24, 2008;

13 WHEREAS, the Applications did not include a copy of the settlement agreement
14 between the USA Entities and Piercy, Bowler, Taylor & Kern PC (the "PBTk settlement
15 agreement"), without which D&T was unable to evaluate whether it had a basis to object to such
16 settlement;

17 WHEREAS D&T requested a copy of the PBTk settlement agreement on October
18 24, 2008;

19 WHEREAS, following the negotiation and execution of a confidentiality
20 agreement, the USA Entities provided D&T with a copy of the PBTk settlement agreement on
21 October 30, 2008;

22 WHEREAS both Applications are set for hearing on November 18, 2008;

23 WHEREAS, USACM Liquidating Trust has a case pending against D&T in the
24 United States District Court for the District of Nevada (Case No. 08-00461) that D&T believes
25 may be affected by the Applications; and
26

WHEREAS, the requested extension is necessary to provide D&T with sufficient time to evaluate the merits of the Applications, including the proposed bar order, and prepare an opposition, if necessary;

IT IS HEREBY STIPULATED that D&T will file any objections to the Applications by November 13, 2008.

Dated: November 6, 2008

MORRIS, PICKERING & PETERSON

DIAMOND MCCARTHY LLP

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